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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,517	03/09/2004	Craig D. Johnson	68.0322	2516
35204	7590	12/30/2005		
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ROSHARON, TX 77583				

EXAMINER
DUNWOODY, AARON M

ART UNIT	PAPER NUMBER
3679	

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/708,517	Applicant(s) JOHNSON ET AL.	
	Examiner Aaron M. Dunwoody	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-12, 14-19, 22, 50-60, 62-67 and 70 is/are pending in the application.
- 4a) Of the above claim(s) 15 and 54 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12, 14, 16-19, 22, 50-53, 55-60, 62-67 and 70 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/24/2004</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Election/Restrictions

Claims 15 and 5 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 10/11/2005.

Priority

No priority claimed.

Information Disclosure Statement

The information disclosure statement (IDS) filed 3/24/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

The abstract of the disclosure is objected to because it describes a non-elected species. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7-12, 14, 16-19, 22, 50-53, 55-60, 62-67 and 70 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US patent 4148495, Van Zon.

In regards to claim 1, in Figure 2, Van Zon discloses an apparatus comprising:

a first connector to connect a first tubing section and a second tubing section together; and

a member (22) adapted to be moved from a retracted position to an extended position to form a sealed connection between a first tubular member that is connected to the first tubing section and a second tubular member that is connected to the second tubing section.

In regards to claim 2, Van Zon discloses the first tubing section comprises a first production tubing section and the second tubing section comprises a second production tubing section.

In regards to claim 3, Van Zon discloses the first tubing section comprises a first injection tubing section and the second tubing section comprises a second injection tubing section.

In regards to claim 4, Van Zon discloses the member comprises a sleeve adapted to move between the retracted position and the extended position.

In regards to claim 5, Van Zon discloses sleeve is adapted to slide between the retracted position and the extended position.

In regards to claim 7, Van Zon discloses first body attached to the first tubing section and being mounted to the sleeve, and a second body separate from the first body and being mounted to the second tubing section.

In regards to claim 8, Van Zon discloses the first body comprises a first passageway and the second body comprises a second passageway to establish

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communication through the apparatus between the first tubular member and the second tubular member.

In regards to claim 9, Van Zon discloses the sleeve is adapted to bridge a gap between the first body and the second body to seal the first and second passageways.

In regards to claim 11, Van Zon discloses the second body is adapted to receive an end of the first tubing section and an end of the second tubing section.

In regards to claim 12, Van Zon discloses the second body comprises a tapered opening to receive the first tubing section.

In regards to claim 14, Van Zon discloses the sleeve is adapted to bridge a gap between the first body and the second body, the apparatus further comprising: a sealing element located between the sleeve and the second body (radially).

In regards to claim 16, Van Zon discloses the sealing element is located on an exterior surface of an annular face of the second body.

In regards to claim 17, Van Zon discloses the first body comprises a passageway to establish communication through the first body between the first tubular member and the second tubular member, and the sleeve is adapted to form a seal between a wall of the passageway and the sleeve.

In regards to claim 18, Van Zon discloses the member comprises a sleeve adapted to closely circumscribe the first tubular member and move between the retracted position and the extended position.

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In regards to claim 19, Van Zon discloses a first body attached to the first tubing section and being mounted to the sleeve, and a second body separate from the first body and being mounted to the second tubing section.

In regards to claim 22, Van Zon discloses the member is eccentric with respect to the first tubing section.

In regards to claim 50, Van Zon discloses a method comprising:

connecting a first tubing section to a second production tubing section; and moving a member from a retracted position to an extended position to form a sealed connection between a first tubular member that is connected to the first tubing section and a second tubular member that is connected the second tubing section.

In regards to claim 51, Van Zon discloses the first tubing section comprises a first production tubing section and the second tubing section comprises a second production tubing section.

In regards to claim 52, Van Zon discloses moving a sleeve between the retracted position and the extended position.

In regards to claim 53, Van Zon discloses the moving comprises: sliding the sleeve between the retracted position and the extended position.

In regards to claim 55, Van Zon discloses attaching a first body to the first tubing section; mounting the sleeve to the first body; and attaching a second body separate from the first body to the second tubing.

In regards to claim 56, Van Zon discloses providing a first passageway in the first body; and providing a second passageway in the second body, wherein the first tubular

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member and the second tubular member communicate through the first and second passageways.

In regards to claim 57, Van Zon discloses using the sleeve to bridge a gap between the first body and the second body to seal the first and second passageways.

In regards to claim 58, Van Zon discloses extending the sleeve is adapted to extend into the gap; and using an opening in the sleeve to permit communication between the first and second passageways.

In regards to claim 59, Van Zon discloses receiving an end of the first tubing in the first body; and receiving an end of the second tubing section in the first body.

In regards to claim 60, Van Zon discloses providing a tapered opening in the second body to receive the first tubing section.

In regards to claim 62, Van Zon discloses using the sleeve to bridge a gap between the first body and the second body; and providing a sealing element between the sleeve and the second body.

In regards to claim 63, Van Zon discloses the sealing element is located on an exterior surface of the second body and circumscribes a longitudinal axis of the second body.

In regards to claim 64, Van Zon discloses the sealing element is located on an exterior surface of an annular face of the second body.

In regards to claim 65, Van Zon discloses providing a passageway in the first body to establish communication through the first body between the first tubular

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member and the second tubular member; and forming a seal between a wall of the passageway and the sleeve.

In regards to claim 66, Van Zon discloses the moving comprises: moving a sleeve that closely circumscribes the first tubular member between the retracted position and the extended position.

In regards to claim 67, Van Zon discloses attaching a first body to the first tubing section; mounting the sleeve to the first body; and attaching a second body separate from the first body to the second tubing section.

In regards to claim 70, Van Zon discloses the member is eccentric with respect to the first tubing section.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Aaron M Dunwoody
Primary Examiner
Art Unit 3679

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